United Nations S/2016/1130

Security Council

Distr.: General
29 December 2016

Original: English

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraphs 50 and 52 of Security Council resolution 2277 (2016). It covers major developments that have occurred in the Democratic Republic of the Congo since my report of 3 October 2016 (S/2016/833), progress in the implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and issues relating to the preparedness of MONUSCO to tackle security risks and monitor and report on human rights violations and abuses in the context of elections. It also provides an assessment of the transformation of the MONUSCO force and progress towards an exit strategy for the Intervention Brigade.

II. Major developments

A. Political situation

2. The reporting period was marked by political initiatives aimed at reaching an inclusive agreement among national political actors, principally on the holding of general elections, which were initially set for late November. The initiatives took place amid rising tensions and apprehension ahead of the formal end of the second and constitutionally mandated final term in office of the President, Joseph Kabila Kabange, on 19 December.

3. The national dialogue proposed by the President under the facilitation of Edem Kodjo, appointed by the African Union, concluded on 18 October with the signing of a political agreement between the Majorité présidentielle and part of the opposition led by the leader of the Union pour la nation congolaise (UNC), Vital Kamerhe. Under the terms of the agreement, presidential, legislative and provincial elections should be held in one sequence by April 2018, along with, if technical and financial resources so permit, local, municipal and urban elections. Alternatively, local, municipal and urban elections would be held within six months following the presidential, legislative and provincial elections. The agreement also provides that

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the current President will remain in power until the elections and his successor assumes office, in line with a ruling issued by the Constitutional Court on 11 May. The same applies for parliamentarians, provincial governors and members of provincial assemblies. In addition, a government of national unity, to be led by a prime minister chosen from opposition members who took part in the national dialogue, was to be formed within 21 days of the signing of the agreement to oversee preparations towards elections.

4. The agreement was denounced by opposition parties that did not participate in the dialogue. On 19 October, the opposition coalition, Rassemblement des forces politiques et sociales acquises au changement, called for a stay-at-home day in Kinshasa and other cities in protest. On 20 October, the Union pour la démocratie et le progrès social (UDPS), a member party of the Rassemblement, issued a statement in which it rejected the agreement on the grounds that it violated the Constitution and did not reflect a consensus among Congolese political actors. The Episcopal Conference of the Democratic Republic of the Congo, which had initially participated in the dialogue before withdrawing from it after the violent incidents of 19 and 20 September, called for a more inclusive dialogue to reach consensus on the electoral process.

5. On 31 October, at the request of the President, the Episcopal Conference initiated mediation aimed at promoting consensus on the transition and elections. To that end, it held a series of meetings with the Majorité présidentielle and the Rassemblement, among others.

6. In Kinshasa, the Governor reiterated the ban on public political activities in force since 22 September. On 5 November, a strong police presence prevented an opposition rally from being held in the capital. The Rassemblement issued a press release to postpone the rally to 19 November, with a view to ensuring calm in anticipation of the visit by the Security Council from 11 to 13 November and to allowing mediation efforts by the Episcopal Conference to proceed. On 19 November, opposition protests were again prevented from being held.

7. On 15 November, the President delivered his annual state of the nation address. He welcomed the agreement and called upon political actors who had not participated in the national dialogue to sign it. He also denounced what he described as "foreign interference" in the country's internal affairs. On elections, he commended the Independent National Electoral Commission for the continuing voter registration process and called upon young people to enrol en masse. On security, he asserted that "areas of lawlessness" had been reduced to "pockets of insecurity" and condemned the "barbaric acts of terrorist and criminal forces in Beni, Kasai Central, Kasai Oriental and in Kinshasa".

8. On 17 November, in line with the agreement, the President appointed Samy Badibanga as Prime Minister following the resignation of Augustin Matata Ponyo Mapon on 14 November. A parliamentarian, Mr. Badibanga is the leader of the UDPS et Alliés parliamentary group, a coalition formed by those party members who rejected the call by Etienne Tshisekedi for UDPS not to sit in Parliament after the elections of 2011. In reaction, the Secretary-General of UDPS, Jean-Marc Kabund wa Kabund, stated that the appointment of the new Prime Minister was a "non-event", recalling that Mr. Badibanga was a dissident and advocating an agreement between the President and Mr. Tshisekedi on arrangements for a political

transition after 19 December. In contrast, the signatories to the agreement welcomed Mr. Badibanga's appointment.

9. By early December, the mediation led by the Episcopal Conference between the signatories and non-signatories to the agreement, including the Rassemblement, had reached an impasse. On 2 December, the Episcopal Conference issued a press release and held a press conference in Kinshasa to call upon all sides to show goodwill in order to reach a compromise. On 5 December, following a meeting between representatives of the Episcopal Conference and the President, the Office of the President issued a press release in which it expressed the President's continued support and encouragement for the Episcopal Conference mediation. From 17 December, the Episcopal Conference led a new round of consultations between the signatories and non-signatories in an attempt to reconcile differences on the governance arrangements and the date and sequencing of the elections.

10. On 19 December, the President's second and final term in office formally came to an end amid persistent tensions and localized protests nationwide. At midnight, a presidential decree announcing the formation of a new Government was read on national television. The new Government has 68 members, 20 more than the previous Government, including eight women. In line with the agreement of 18 October, it comprises representatives of political parties and coalitions that participated in the national dialogue, including UDPS and UNC. In addition to the position of Prime Minister held by Samy Badibanga of UDPS et Alliés, another UDPS official is the Deputy Minister of Finance. The Majorité présidentielle retains key portfolios, including security and the interior, defence, foreign affairs, economy, finance, mines, hydrocarbons and justice. Representatives of UNC hold three portfolios (budget, foreign trade and deputy minister of justice). Several outgoing ministers, including the Minister of Communications and Media and Spokesperson of the Government, were reappointed, while a handful were replaced, including Raymond Tshibanda N'tungamulongo, who left the post of Minister for Foreign Affairs, and Evariste Boshab, who left the post of Deputy Prime Minister and Minister of the Interior and Security.

11. The nomination of the new Government generated mixed reactions. The spokesperson of the Rassemblement and UDPS Deputy Secretary-General, Bruno Tshibala, said that the announcement was a "non-event" and that a solution to the political impasse should emerge from the negotiations led by the Episcopal Conference. The leader of UNC, Vital Kamerhe, welcomed the announcement, while noting that it would have been best if it had been made after the conclusion of the Episcopal Conference mediation process.

12. On 20 December, in reaction to a series of incidents involving protesters and security forces, the Prime Minister held his first press conference and called for calm. The following day, the Government announced that at least 31 people had been killed in recent clashes around the country over the preceding days. Other sources announced higher tolls.

13. My Special Representative for the Democratic Republic of the Congo and Head of MONUSCO and my Special Envoy for the Great Lakes Region jointly undertook good offices to bridge the gap between political stakeholders. From 31 October to 4 November, my Special Representative met the Rassemblement, the Episcopal Conference, the apostolic nuncio, a delegation of the All Africa

Conference of Churches and the Vice-Minister for External Relations of Angola to explore options to broaden support for a political solution with a view to preventing violence relating to the electoral process. From 22 to 25 November, my Special Representative and my Special Envoy held meetings in Kinshasa with key political stakeholders, including the Prime Minister-designate and representatives of the Majorité présidentielle and the Rassemblement, in support of the mediation led by the Episcopal Conference.

14. At the regional level, ahead of the meeting on 26 October of the Regional Oversight Mechanism of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region in Luanda, my Special Envoy travelled to the United Republic of Tanzania on 17 October and Uganda on 19 October, where he met the Minister for Foreign Affairs, East Africa, Regional and International Cooperation, Augustine Phillip Mahiga, and the President, Yoweri Kaguta Museveni, respectively, to discuss the situation in the Democratic Republic of the Congo and encourage increased regional involvement to tackle the situation. My Special Representative also visited the President of Uganda in Kampala on 15 November and the President of the Congo, Denis Sassou Nguesso, in Brazzaville on 24 November to advocate enhanced regional support for the peaceful resolution of the political impasse in the Democratic Republic of the Congo. A Security Council delegation, jointly led by the Permanent Representatives of Angola and France, visited the Democratic Republic of the Congo from 11 to 13 November and Angola on 14 November to, among other things, urge Congolese actors to find a consensual solution to the political impasse and to demonstrate its support for regional initiatives aimed at preserving stability in the country.

B. Electoral developments

15. The political agreement of 18 October provides for a complete overhaul of the voter register by 31 July 2017 and the holding of elections by April 2018.

16. The pilot phase of the voter registration process launched in Gbadolite, North Ubangi Province, on 31 July was completed on 29 November, a month later than initially planned, with a total of 808,215 voters registered of the 850,000 originally envisaged by the Independent National Electoral Commission, including 363,541 women. In mid-December, the Commission launched the subsequent phase, with operations in 12 provinces covering one of two operational areas. Since 28 October, MONUSCO has made four cargo planes and 16 helicopters available to the Commission and has transported 1,000 tons of voter registration materials from Kinshasa to other provinces. MONUSCO also supported the deployment of 150 voter registration and police officials. On 31 October, a joint centre comprising experts from the Commission and the United Nations was established in Kinshasa to better coordinate voter registration operations.

17. By 15 December, the Government had disbursed to the Independent National Electoral Commission $180 million of the $300 million pledged for 2016 for the preparation of elections. At a press conference on 6 December, the Commission reported that its updated budget for the electoral cycle was $1.8 billion, an increase from the previously announced $1.2 billion. The multi-partner basket fund for the project to support the electoral cycle, managed by the United Nations Development

Programme, remained funded at only 6 per cent of the required amount of $123.3 million, owing to donor concerns regarding the political context of the elections.

C. Security situation

18. Armed violence in the eastern Democratic Republic of the Congo continued to place civilians at risk, resulting in further population displacements and intercommunal tensions in some areas. Overall, the intensity of operations conducted by the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo-FARDC) against armed groups decreased, including those operations coordinated with MONUSCO, partly owing to heavy losses against the Allied Democratic Forces (ADF) in the "triangle area".

19. In Beni territory, North Kivu, suspected ADF elements conducted a series of attacks against civilians that resulted in dozens of casualties and contributed to heightened tensions in the area. From 2 to 4 October, suspected ADF elements attacked the villages of Kasinga, Malolu and Mamudioma, reportedly killing four civilians and injuring three. On 9 October, suspected ADF elements attacked a position of FARDC in Boikene, killing seven civilians and displacing many more towards the centre of Beni. On 31 October, about 20 suspected ADF elements attacked the village of Kitevya, in the Oicha area, killing seven civilians. Another four civilians went missing. In response to the attacks, the Beni area has, since October, seen the emergence of Mai-Mai groups, with a suspected strength of several hundred elements. The groups have attacked police stations, presumably to acquire weapons. On 19 December, Mai-Mai Mazembe elements attacked various locations in Butembo, on the border of Beni and Lubero territories, killing a peacekeeper, a police officer and at least one soldier, injuring two peacekeepers and destroying a police station. At least five Mai-Mai elements were killed during the attack. MONUSCO reinforced its presence in the area and conducted joint patrols with FARDC.

20. Inter-ethnic tensions continued to cause instability and drive the activities of many of the armed groups, especially in Lubero and Rutshuru territories. On 8 November, Hutu Nyatura elements reportedly killed the Hunde chief of Mukeberwa, triggering tension between Hunde and Hutu communities in the area. Similar tensions resurfaced in Bwalanda, where Mai-Mai Mazembe elements clashed with a coalition of Nyatura/Forces démocratiques de libération du Rwanda (FDLR) elements on 16 October, prompting the local population to flee towards Kikuku and Nyanzalé. MONUSCO and FARDC deployed troops to prevent a further escalation of violence. The most significant incident took place on 27 November in Luhanga, Lubero territory, when some 50 Mai-Mai Mazembe elements attacked a camp of internally displaced persons, killing 30 and injuring 21. MONUSCO troops exchanged fire with the Mai-Mai elements, killing one and injuring two. MONUSCO attended to the wounded and evacuated at least 15 injured displaced persons to local hospitals. After the attack, FARDC and MONUSCO reinforced their positions around Luhanga. My Special Representative engaged with senior government and provincial authorities with a view to easing intercommunal tensions and finding lasting political solutions to the violence in the area. Following intervention and action by MONUSCO and the Congolese authorities, the security

situation in Buleusa, Walikale territory, has improved, with the majority of the internally displaced persons there returning to their communities on 31 October.

21. In South Kivu, FARDC continued operations against Mai-Mai Raia Mutomboki and other Mai-Mai groups in Fizi, Mwenga, Shabunda and Uvira territories. While some progress was achieved in partially disrupting the activities of the groups, they retained the capacity to attack civilians and showed little interest in disarming. Between 31 October and 4 November, Mai-Mai Raia Mutomboki elements carried out more than 20 attacks in the Penekusu area, raping at least 28 women and men and abducting 86 civilians. In Fizi territory, the combination of FDLR activities and direct clashes between FARDC and armed elements crossing over from Burundi continued to pose a threat to civilians. In Shabunda territory, the illegal exploitation of gold and other natural resources continued to fuel the destabilizing activities of armed groups.

22. In Ituri Province, elements of the Force de résistance patriotique de l'Ituri (FRPI) continued to pose a significant security risk to civilians, with 33 separate attacks against civilians reported in October, compared with 17 in September. Between 4 and 18 October, suspected FRPI elements looted more than a dozen villages in the Aveba area, reportedly wounding three civilians and abducting two others. From 19 to 23 October, suspected FRPI elements raided eight villages on the Bunia-Beni axis, during which at least one civilian was wounded. MONUSCO supported FARDC operations against the group, leading to the capture and surrender of 10 elements, including two senior members of the group. Six weapons with ammunition were also recovered. In Mambasa, Mai-Mai groups continued to impede stabilization efforts by conducting incursions along main routes.

23. In Haut-Uélé and Bas-Uélé Provinces, the Lord's Resistance Army (LRA) remained active, amid an increasing influx of South Sudanese refugees and reports of armed elements crossing into the Democratic Republic of the Congo from South Sudan. On 1 October, suspected LRA elements reportedly attacked FARDC troops in Nasumba, killing two soldiers and injuring four, while FARDC killed four assailants. On 26 November, suspected LRA elements looted the villages of Bakudangba and Katinga on the Doruma to Gangala-na-Bodio axis, whence they also abducted 50 civilians. Elements from both South Sudanese government and opposition forces crossed into the Democratic Republic of the Congo and the number of refugees significantly increased. FARDC apprehended the South Sudanese elements who crossed into the country. MONUSCO deployed a forward base to Doruma to better monitor the situation in the area.

24. In Tanganyika Province, the conflict between the Luba and Twa communities continued to destabilize some areas. On 17 October, during clashes between militias from both communities, at least 16 people, including 3 civilians, were killed in Kabalo, more than 8,600 people displaced and some 40 villages burned down. In response, MONUSCO supported initiatives by the local authorities aimed at reducing tensions and initiating intercommunal dialogue. MONUSCO also deployed two forward bases, to Nyunzu and Kabalo, on 19 October and 14 November, respectively. On 26 October, Twa militia elements attacked Luba civilians in the village of Kizika, looting and burning down more than 80 houses and causing the displacement of civilians. On 6 and 7 November, Twa militiamen attacked and

looted houses belonging to the Luba community in the villages of Kamblo, Kangulu, Kyela and Kyalo.

25. In Haut-Katanga Province, the Mai-Mai Kata Katanga leader, Gédéon Kyungu Mutanga, surrendered to the provincial authorities along with 129 of his combatants on 11 October, handing over a significant number of weapons. Of this group, 11 were identified as children associated with the group and were separated; 58 agreed to join the National Disarmament, Demobilization and Reintegration Programme and 60 opted for integration into FARDC. The group has been responsible for numerous attacks against civilians over the past decade. Its leader was found guilty of crimes against humanity and imprisoned before escaping in 2011.

26. Currently, 521 Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) elements remain on MONUSCO premises. On 1 October, the Government officially requested the Mission to relocate them abroad. MONUSCO is continuing its efforts to identify a sustainable solution, in consultation with the Government. The Secretariat also established contacts with the African Union Commission and the Intergovernmental Authority on Development in this regard. In a letter dated 18 October to the President of the Security Council (S/2016/875), I provided a full account of developments relating to the presence of the elements on MONUSCO premises.

D. Protection of civilians and neutralization of armed groups

27. MONUSCO continued to deepen its understanding of the current conflict dynamics, improve early warning capacities and address the threats posed by armed groups. It responded to emerging protection threats and increased its presence by deploying temporary forward bases to areas of concern in Haut-Uélé, South Kivu and Tanganyika Provinces. The Mission's community alert network transmitted an average of 245 early warning alerts per month, which represents an increase of 8 per cent from the previous reporting period, with 94 per cent of alerts resulting in a response by the Government and/or MONUSCO. Alerts that remained without response were in areas with limited State security capacity and difficult access.

28. In the Beni area, North Kivu, the Mission is reinforcing protection capabilities through the deployment of forward bases in Ngadi, Muzambai and Kasinga. In addition, following an attack on Rwangoma by suspected ADF elements in August, MONUSCO and Congolese police officers jointly evaluated the security situation in Beni territory, which led to the reinforcement of the police presence and resources.

29. MONUSCO continued to support the efforts of the provincial authorities to resolve intercommunal conflicts in North Kivu. On 2 and 3 November, it supported awareness-raising activities on peaceful cohabitation in Buleusa to facilitate the return of internally displaced persons and peaceful cohabitation between the Hutu, Kobo and Nande communities. Following the violent clashes in Luhanga on 27 November, MONUSCO supported the provincial assessment mission led by the Governor of North Kivu on 29 November. From 13 to 17 December, MONUSCO facilitated the deployment of local authorities, community leaders and women leaders to Luhanga and Luofu, as well as surrounding areas, to raise the awareness of the population regarding peaceful cohabitation.

30. In Kasai Central, serious outbreaks of violence in July and October across the province, including in the provincial capital, Kananga, left at least 140 people dead, with unconfirmed reports of much higher casualties. The risk of a further spread of violence remains high, given the continued dispute over traditional chieftaincies, the strongly politicized nature of the communities in the area and the linkages with national political developments. Following high-level visits to the area and joint assessment missions in October, MONUSCO reinforced its office in Kananga with a view to strengthening cooperation with the national police, improving conflict-resolution capacity and enhancing engagement with the local authorities.

31. In Tanganyika Province, in response to a recent outbreak of violence, MONUSCO conducted a series of missions to assess the humanitarian situation, monitor human rights violations and initiate reconciliation between the Luba and Twa communities. Between 17 and 21 September, MONUSCO deployed 40 peacekeepers to Nyunzu and provided logistical support to national police efforts to protect civilians. On 21 November, two MONUSCO peacekeepers and five civilian staff members were attacked with arrows by unknown elements near the village of Nyemba, Kalemie territory, resulting in injuries.

32. In Ituri Province, as part of efforts to combat criminal networks, MONUSCO supported national police operations, leading to the arrest of 27 armed perpetrators, including a woman, and recovered 11 assault rifles. Those transferred to the judicial authorities admitted having killed at least 10 civilians in September and October.

33. The Mine Action Service supported MONUSCO efforts to protect civilians, responding to 62 Mission requests, resulting in the destruction of 3,767 explosive remnants of war and 3,661 rounds of small arms ammunition.

E. Disarmament, demobilization, repatriation, resettlement and reintegration

34. The return of former combatants from the Kamina and Kitona camps to their communities continued to be the focus of phase III of the National Disarmament, Demobilization and Reintegration Programme. A total of 1,076 former combatants of 4,575 demobilized persons returned to their communities in eight provinces. To date, 1,592 former combatants remain in the Kamina camp and 1,712 in the Kitona camp awaiting reintegration. The National Implementation Unit for the National Disarmament, Demobilization and Reintegration Programme and MONUSCO undertook awareness-raising and outreach activities in reintegration communities for them. These developments represent the first steps of a new strategic and programmatic shift from the traditional disarmament and demobilization phase in those camps towards community-based reinsertion and reintegration programming in the east of the country.

35. The number of surrenders by elements of foreign armed groups has fallen since the previous reporting period. Since 1 October, 18 foreign combatants and 31 dependants have been repatriated.

36. MONUSCO continued to provide living assistance to 1,322 FDLR combatants and their dependants in transit camps at Kanyobagonga (North Kivu) and Walungu (South Kivu), as well as in the government-run camp at Kisangani (Tshopo).

F. Consolidation of State authority and stabilization

37. MONUSCO developed a stabilization strategy for the Beni area to address the root causes of intercommunal tensions, while also empowering women to act as enablers of peace. It continued to support both military and civilian justice authorities in the eastern Democratic Republic of the Congo in investigating and prosecuting perpetrators of serious crimes, including genocide, crimes against humanity and war crimes, in particular through its prosecution support cells.

38. The Mission provided technical guidance to national counterparts to develop training plans and curricula for 53 newly recruited prison directors, 120 prison security guards and 50 female prison staff.

39. MONUSCO supported the national security forces in improving access to and control of weapons and ammunition. The Mine Action Service built five armouries in Ituri and South Kivu and provided technical advice and weapons and ammunition management training for 60 national police officers in those provinces.

G. Human rights situation

40. In October and November, MONUSCO documented 1,011 allegations of human rights violations, of which 667 were in conflict-affected areas of the eastern Democratic Republic of the Congo and 344 in the western provinces. State agents were alleged to be responsible for 612 incidents, resulting in 174 civilian deaths. Armed groups were alleged to be responsible for 399 incidents, including 118 committed by FRPI, 64 by Nyatura and 53 by other Mai-Mai combatants, resulting in 132 civilian deaths. These figures represent a significant increase in comparison with the previous reporting period, especially in terms of extrajudicial killings perpetrated by State agents.

41. From 1 January to 30 November, MONUSCO documented 4,599 human rights violations, comprising 2,915 perpetrated by State agents, resulting in 398 civilian deaths, and 1,684 committed by armed groups, resulting in 597 civilian deaths. Overall, this represents a significant increase in comparison with the 3,877 violations documented in 2015.

42. The Mission observed a continued shrinking of political space, with increased restrictions on civil and political rights, in addition to killings, harassment and intimidation targeting mainly human rights defenders, members of opposition parties and journalists. At least 10 journalists, 108 political opponents and 45 members of civil society were arbitrarily arrested and detained by the security forces, mainly before and during political activities or demonstrations. The Secretary-General of UDPS was arrested on 9 October and released on 29 November in connection with conspiracy charges relating to the violent demonstrations of 19 and 20 September. On 1 December, the then Deputy Prime Minister and Minister of the Interior and Security issued instructions banning organizations without legal status, which includes the Lutte pour le changement and Filimbi movements.

43. Since 5 November, the broadcast of Radio France internationale in Kinshasa has been suspended and its signal disrupted. On 12 November, the Minister of

Communications and Media and Spokesperson of the Government, Lambert Mende, issued a decree stipulating that only those foreign media outlets where the majority of the stakeholders were Congolese nationals could operate without interruption in the country. From 5 to 8 November, the Radio Okapi transmission in Kinshasa was disrupted.

44. On 11 October, the Government presented its report on the demonstrations of 19 and 20 September. It put the number of deaths at 32, including two police officers and a child. Responsibility for most of the violence and deaths was attributed to members of the opposition.

45. On 21 October, MONUSCO and the Office of the United Nations High Commissioner for Human Rights published their preliminary investigation report on human rights violations and violence perpetrated during the demonstrations in Kinshasa between 19 and 21 September. They found that the security forces had deliberately used excessive force, including live ammunition, resulting in at least 48 civilian deaths, 75 people being injured and at least 299 people being unlawfully arrested and detained. They also noted acts of violence by demonstrators, including the killing of four police officers and the ransacking of several public buildings. In a communiqué dated 25 October, the Majorité présidentielle contested the findings of the report, stating that they contributed to further radicalizing the Rassemblement. According to the Majorité présidentielle, no mention was made of the accountability of the organizers of the demonstrators. The Government did not react to the findings.

46. In Kasai Central, MONUSCO deployed a special investigation mission to several villages in the territories of Demba, Dibaya and Dimbelenge to verify allegations of serious human rights violations and violations of international humanitarian law committed from 22 July to 30 October by members of a militia led by a customary chief, Kamuina Nsapu, and by defence and security forces deployed to eradicate the group. In 17 separate incidents, at least 117 people, including at least 16 women and 22 children, of whom 7 were girls, were reportedly killed by soldiers. Reports indicate that, during the military operations, the soldiers indiscriminately opened fire against civilians, even though militiamen had already left the area.

47. On 17 and 20 October, the Operational Military Court of North Kivu sentenced eight ADF combatants to death and reparations for participation in an insurrectional movement, crimes against humanity and terrorism.

48. From 21 to 26 November, my Assistant Secretary-General for Human Rights visited the Democratic Republic of the Congo to engage with national and local stakeholders on the shrinking political space and deteriorating human rights situation and to discuss with the authorities how to prevent a further escalation of electoral violence and human rights violations. Following his visit, three civil society activists and two political opponents were released. In addition, the Speaker of the National Assembly pledged to accord priority to the adoption of the bill protecting human rights defenders, the law on demonstrations and the law on the ratification of the African Charter on Democracy, Elections and Governance, while the Deputy Prime Minister and Minister of the Interior and Security agreed to carry out a joint investigation of the events in Kinshasa of 19 and 20 September.

H. Sexual violence

49. A total of 37 women, including 17 girls, were reported to be victims of conflict-related sexual violence in Ituri, Haut-Lomami, North Kivu and Tanganyika Provinces. State agents reportedly accounted for 35 per cent of cases and armed groups 65 per cent. FARDC soldiers reportedly committed 30 per cent of the violations, whereas Mai-Mai Kifuafua combatants and FRPI combatants were allegedly responsible for 27 per cent and 19 per cent, respectively.

50. MONUSCO and the Office of my Special Representative on Sexual Violence in Conflict supported the Government in the organization of a high-level conference, held in Kinshasa from 11 to 13 October, to evaluate progress in the implementation of the joint communiqué signed by the United Nations and the Government in 2013. The participants in the conference adopted national priorities for efforts to combat conflict-related sexual violence for the period 2017-2019. On the margins of the conference, my Special Representative on Sexual Violence in Conflict met the President and other senior Congolese officials to discuss ways of increasing collaboration between the Government and the United Nations on efforts to combat sexual violence. She also visited Goma, North Kivu, and Bukavu, South Kivu, to assess challenges and the specific needs of victims of sexual violence.

I. Child protection

51. MONUSCO documented 120 grave violations of children's rights, down from 155 documented cases during the previous reporting period. In total, 49 boys were separated or escaped from armed groups, compared with 115 children documented in the previous reporting period. Ten boys were documented as having been newly recruited by armed groups. The main armed groups recruiting children were Forces combattantes abacunguzi (12), Nyatura (10), FRPI (8), Nduma défense du Congo-Rénové (7), UPDI (7), Mai-Mai Raia Mutomboki (3) and ADF (2). In addition, following the voluntary surrender of the Mai-Mai Kata Katanga leader, nine children were identified but have not yet been separated from the armed group. In addition, 28 boys have been identified among the SPLM/A in Opposition elements extracted by MONUSCO from the Garamba National Park. A total of 20 boys formerly associated with armed groups were released from FARDC custody and handed over to MONUSCO, while 6 remain in detention.

52. The military prosecutor continued efforts towards the prosecution of prominent armed group leaders for child recruitment and sexual violence. Three FARDC soldiers and a national police officer were arrested on charges of child rape.

J. Humanitarian situation

53. The humanitarian situation continued to deteriorate in the eastern Democratic Republic of the Congo, underscoring the acute nature of the crisis owing in part to armed group activity and increasing intercommunal violence, as evidenced by the increase in the number of internally displaced persons from 1.7 million in September to nearly 2 million. As at 30 November, there were some 439,000 refugees and asylum seekers in the country, including approximately 245,000 from

Rwanda, 96,500 from the Central African Republic, 31,500 from Burundi and nearly 65,000 from South Sudan.

54. Insecurity remained a major obstacle to humanitarian access in the eastern Democratic Republic of the Congo and continued to have an impact on the delivery of assistance to people in need. As at 28 November, 4 humanitarian workers had been killed, 10 wounded and 29 abducted but later released, significantly disrupting operations in various areas.

55. As at mid-November, the Humanitarian Response Plan of $690 million remained funded at 56 per cent, amounting to more than $385 million, a situation that affects the humanitarian response.

K. Economic situation

56. MONUSCO documented a continuing downward macroeconomic trend owing to a fall in commodity prices, resulting in a scarcity of financial resources and increasing demonstrations of discontent. On 25 October, the Government submitted to the National Assembly the budget proposal for 2017, amounting to some $5.7 billion, which represents a reduction of 15 per cent compared with the budget for 2016. Budgetary execution rates were also lower, in connection with the Government's dwindling spending power. The continued depreciation of the Congolese franc caused the prices of some basic commodities to rise, especially in Kinshasa. Members of the Kinshasa provincial assembly have been refusing to resume activity since the opening of the parliamentary session on 30 September, while the Ministry of Foreign Affairs staff union and workers of the State company that controls the quality of imports and exports went on strike on account of unpaid salaries. Civil servants in South Kivu also publicly complained of salary arrears of up to 10 months. On 9 and 10 November, clashes erupted between students at two technical schools in Kinshasa and the national police during protests against an increase in tuition fees.

L. Regional developments

57. The Government pursued regional cooperation to tackle security challenges and advance political processes. On 10 October, the President renewed the mandate of the National Oversight Mechanism of the Peace, Security and Cooperation Framework and appointed General Denis Kalume Numbi as its new coordinator. My Special Representative and my Special Envoy met General Kalume on 18 and 22 November, respectively, to discuss ways of enhancing collaboration between MONUSCO and the Mechanism to advance support for the implementation of the Framework.

58. On 13 October, following an evaluation mission to the Democratic Republic of the Congo, the Southern African Development Community welcomed the progress achieved in the context of the national dialogue, expressed satisfaction with the preparations for the elections and called upon all political actors to respect the impartiality of the Independent National Electoral Commission.

59. Also on 13 October, defence ministers of the International Conference on the Great Lakes Region met in Kinshasa to examine the concept of operations of the Joint Oversight Mechanism in the framework of regional efforts to combat terrorism.

60. On 20 October, the Minister of Trade of the Democratic Republic of the Congo and the Minister of Trade and Industry of Rwanda signed a bilateral agreement to facilitate cross-border trade and launched a bilateral simplified trade regime.

61. The seventh high-level meeting of the Regional Oversight Mechanism was held on 26 October in Luanda, attended by Heads of State and Government of the signatory countries to the Peace, Security and Cooperation Framework, together with representatives of the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community and the United Nations. The Mechanism endorsed the political agreement of 18 October as a useful step to avoid violence in the Democratic Republic of the Congo and urged all Congolese stakeholders to seek a peaceful solution to the political crisis, in line with the Constitution and resolution 2277 (2016).

62. On 10 November, the President met the Minister of Defence and Veterans' Affairs of South Sudan, Kuol Manyang Juuk, to address the presence of SPLM/A in Opposition elements and South Sudanese refugees in the Democratic Republic of the Congo, which resulted in the signing of a security cooperation agreement. On 14 November, the Minister for Foreign Affairs, Raymond Tshibanda N'tungamulongo, met his South Sudanese counterpart, Deng Alor Kwol, to explore the possibility of establishing a committee to address cross-border defence and economic issues.

III. Implementation of key reporting obligations

A. Strategic dialogue and development of an exit strategy for the Mission

63. The strategic dialogue between the Government and MONUSCO stalled following the adoption of resolution 2277 (2016). The Government has disengaged from discussions on the joint development of an exit strategy for the Mission. On 23 September, in his address to the General Assembly, the Minister for Foreign Affairs reiterated the Government's request for a gradual reduction of MONUSCO troops and a transformation of the Mission.

B. Assessment of the implementation of the tasks of the Intervention Brigade

64. After playing a critical role in the military defeat of the Mouvement du 23 mars armed group in November 2013, followed by a year of suspended military cooperation between MONUSCO and FARDC, the Intervention Brigade has, since May, focused its efforts on the neutralization of ADF in the Beni area, North Kivu, in support of FARDC operations. MONUSCO supported those operations between May and September, forcing ADF to adapt its defensive techniques to respond to increased military pressure.

C. Review of progress on the transformation of the force

65. As requested by the Security Council in its resolution 2277 (2016), MONUSCO assessed the progress made in transforming the force to make it more effective in protecting civilians. Although the Mission took steps in this regard, implementation has been slow. Nevertheless, the delays and challenges notwithstanding, force transformation remains an important objective with a view to better protecting civilians and MONUSCO will continue to work towards its full implementation.

66. Progress was uneven across the four pillars on which the force transformation relies. Mixed progress was recorded on the first pillar, "capability development", which encompasses the introduction of rapidly deployable battalions, improved information-gathering capabilities and more mobility. In February, the first such battalion arrived in the eastern Democratic Republic of the Congo and, although it received its full equipment only recently, it has already conducted operations, including in response to inter-ethnic tensions in South Kivu. The deployment of a second such battalion is scheduled for February 2017, with a third in 2018. Through the use of enablers such as unmanned aerial vehicles, the Mission has been locating and monitoring armed groups and their activities, tracking civil demonstrations and improving its ability to protect civilians. Nevertheless, its consistent efforts notwithstanding, MONUSCO has to date been unable to deploy a military threat analysis unit, a potentially key enabler in efforts to neutralize armed groups and protect civilians.

67. Progress was achieved on the second pillar, "force redeployment", with MONUSCO currently merging its military presences in South Kivu and the former Katanga Province into a new southern sector. Once completed, early in 2017, this process will allow the Mission to align troops and assets to meet threats and minimize inefficiencies. With regard to the third pillar, "FARDC capacity-building", which represents the force's efforts, in accordance with the United Nations human rights due diligence policy, to reinforce the capabilities of FARDC, there was limited progress, owing to the suspension of cooperation between MONUSCO and FARDC during most of 2015. Beyond the planning phase, no progress was made on the fourth pillar, "military engineering development", which is aimed at adapting military engineering so that it contributes more effectively to the strategic and operational objective of neutralizing armed groups.

D. Preparations for the elections

68. MONUSCO enhanced its preparedness to mitigate and respond to election-related violence, while prioritizing support for political processes and promoting an environment conducive to peaceful, credible and inclusive elections. My Special Representative and my Special Envoy continued to use their good offices, including in coordination with key regional actors and civil society organizations, to promote inclusive dialogue and reduce the likelihood of violence and political instability.

69. MONUSCO continued to impress upon the national authorities and security forces the need to manage public order in accordance with the Constitution and international human rights standards. Consequently, on 3 November, the Kinshasa

Provincial Police Commissioner, General Célestin Kanyama, issued instructions restricting the deployment of crowd control units carrying lethal weapons. The Mission built the capacity of the national police with regard to methods of managing public order without resorting to excessive force and with respect for human rights.

70. Following the events of 19 and 20 September in Kinshasa, MONUSCO conducted robust patrolling in the city, within its existing capabilities. On 30 November, the force redeployed an additional company to Kinshasa, where MONUSCO has established an integrated tactical operations centre to effectively coordinate its civilian, military and police action.

71. The Mission pursued efforts to reinforce its capacity to monitor and report on human rights violations and restrictions on political space. It established mobile civilian monitoring and reporting teams in Goma, Kinshasa, Kisangani, Lubumbashi and Mbuji-Mayi, available to deploy on short notice to areas deemed at high risk of electoral violence and without a MONUSCO presence. The MONUSCO force and formed police units will support joint human rights monitoring teams to gather evidence of human rights violations committed in the context of election-related violence, including forensic, photographic and video evidence.

72. The Mission continued to revise, update and test contingency plans for the military, police and civilian components to prevent and respond to widespread election-related violence, ensuring that civilian and uniformed personnel and assets could be redeployed to key locations in a timely manner. Nevertheless, the Mission possesses limited uniformed and aviation capacity to respond to emerging risks in areas in which it currently has no presence. It has limited capacity in Kinshasa and no presence in other high-risk locations in the west of the country. Should a large-scale redeployment of the force and other assets to high-risk locations in the west be required, the implementation of the core tasks relating to the protection of civilians and the neutralization of armed groups in the east would be greatly hampered.

IV. Safety and security of United Nations personnel

73. MONUSCO assessed that its support to FARDC-led operations against armed groups had given rise to no significant increase in threats to United Nations personnel and installations. In total, 44 significant security-related incidents involving United Nations personnel, including 13 hazard and safety-related cases, were reported.

74. On 8 November, an improvised explosive device detonated on MONUSCO troops from the Indian contingent in Goma, North Kivu. That unprecedented attack left 1 child dead and 2 civilians and 32 peacekeepers wounded. MONUSCO and the Congolese authorities launched a joint investigation. The initial findings, based on evidence gathered at the scene, indicate that the attackers targeted the peacekeepers, knew their routine and were familiar with the use of explosives.

V. Serious misconduct, including sexual exploitation and abuse

75. MONUSCO continued to vigorously enforce my policy of zero tolerance of sexual exploitation and abuse, resulting in a downward trend since my previous

report. Three incidents were recorded during the reporting period, down from 12 over the previous semester of 2016.

76. The Mission pursued enhanced preventive action, including training and awareness-raising activities, as well as community outreach and sensitization. The measures are complemented by risk assessment missions, community-based complaint networks, regular deterrent patrols by MONUSCO formed police units and military police and the implementation of curfew regimes, among other things. Enforcement action focused on the establishment of an immediate response team, a sexual exploitation and abuse task force and complaint mechanisms. MONUSCO, in close coordination with other United Nations entities, provided assistance to victims of sexual exploitation and abuse.

VI. Observations

77. The political landscape of the Democratic Republic of the Congo is experiencing some of the most significant shifts witnessed in recent years, putting the progress achieved over the past decade at risk. Political space, which had gradually opened up to a diversity of voices and perspectives, is shrinking rapidly. Persistent challenges relating to the consolidation of democratic institutions, promotion and protection of human rights and respect for the rule of law are swiftly becoming even more acute as a result of the political uncertainties. With the formal end of the President's second and final term in office on 19 December, the Democratic Republic of the Congo has entered an uncertain transition period, planned to end with the holding of the country's third post-conflict elections. I am concerned that the coming months are likely to be fraught with serious political tensions and the reversal of hard-won gains. This could have negative implications for the country's security, stability and human rights situations and for regional stability.

78. Already, the worrying trends seen in recent months indicate that much is at stake. Increasing allegations of human rights violations, renewed violence in some areas of North Kivu, heightened tensions between communities in other provinces and growing popular discontent in urban centres suggest that the country is at risk of serious instability. I urge all political actors, including the Majorité présidentielle and the Rassemblement, to continue to pursue a constructive dialogue. I also urge all parties to refrain from violence and to call upon their supporters to avoid resorting to violent tactics.

79. In 2016, amid mounting political tensions, violent confrontations between security forces and opposition protesters and the mounting risk of instability, national, regional and international initiatives have resulted in some progress towards a negotiated solution to the political crisis. Yet much more remains to be done. In addition to reaching a negotiated consensus among all political actors, additional specific steps must be taken to prepare the ground for the holding of elections, strengthen the promotion and protection of human rights and enhance the protection of civilians through improved security in the eastern part of the country and other areas of concern.

80. It behoves the Government and all political actors to ensure an environment conducive to a free, fair, credible, inclusive, transparent, peaceful and timely electoral process, in accordance with the Constitution. It is critical that the continuing update of the voter register be completed as early as possible, and no later than the current deadline of 31 July 2017. This effort must be part of the wider political process leading to elections rather than an isolated technical task. As mandated by the Security Council, MONUSCO is fully mobilized to support the Independent National Electoral Commission in completing the voter registration process.

81. I remain concerned by persistent reports of human rights violations. I am particularly concerned by the significant increase in allegations relating to restrictions of political space, which are more than threefold higher in 2016 than in 2015. Among these are violations of the freedoms of expression and assembly, all of which are protected by the Constitution and international human rights treaties that the country has signed and ratified. I am also deeply troubled by the wave of arrests of those seeking to express their political views. I once again urge the Government to actively promote and protect human rights, including by bringing perpetrators of violations and abuses to justice and by ending politically motivated detentions.

82. The increasing security challenges in the eastern Democratic Republic of the Congo and the re-emergence of tensions among communities in Kasai Central and Tanganyika Provinces point to a worrisome deterioration of the security landscape. I am deeply concerned by this trend and strongly condemn attacks against civilians, including that in Luhanga, North Kivu, perpetrated by Mai-Mai Mazembe on 27 November in a context of increasing inter-ethnic tensions. In Beni territory, North Kivu, ADF continues to pose a serious threat to civilians. I am appalled that it continues to attack and kill civilians. In Tanganyika Province, the recent series of targeted attacks between the Twa and the Luba are also of concern. I welcome the efforts by the national authorities to tackle the threat posed by armed groups through political action and military operations.

83. The continued support of MONUSCO for the Democratic Republic of the Congo in facing these and other security threats is critical. Having supported the national authorities in the military defeat of the Mouvement du 23 mars in November 2013, MONUSCO, and in particular its Intervention Brigade, has focused on ADF in North Kivu, in support of FARDC. Joint operations between the two forces have significantly disrupted the armed group's activities and forced its combatants to use new techniques to avoid confrontation. Continued efforts are required to protect civilians and neutralize armed groups in the east, requiring a more effective military posture for the Mission. The force transformation and the Intervention Brigade are key tools in this regard. The effective protection of civilians also requires the continued commitment of troop-contributing countries. I also count on the continued support of the Security Council on issues relating to the performance of MONUSCO uniformed personnel.

84. As the political and security landscape of the Democratic Republic of the Congo undergoes significant developments, I intend to deploy a strategic assessment mission to the country in the coming months to assess the United Nations engagement there.

85. I conclude by expressing my sincere gratitude to my Special Representative, Maman Sambo Sidikou, for his tireless efforts in advancing the peace process. I pay tribute to all MONUSCO personnel for their dedication in working for a more peaceful and stable Democratic Republic of the Congo. I extend my appreciation to the troop- and police-contributing countries and to those men and women who put their lives at risk in the performance of their duties on a daily basis. I express my gratitude to the African Union, regional partners, the European Union, bilateral and multilateral donors, United Nations agencies, funds and programmes and humanitarian, multilateral and non-governmental organizations for their important contributions and steadfast commitment. Lastly, I again reiterate my appreciation to regional partners and the international community in general for maintaining their firm and principled position in support of efforts to preserve peace and stability in the Democratic Republic of the Congo.

MONUSCO
December 2016
MONUSCO Headquarters
Force Forward Headquarters
Brigade Headquarters
Sector Headquarters
Formed Police Unit
Logistics base
Military Sector boundary
International boundary
Provincial boundary
National capital
0 100 200 300 km
0 100 200 mi
DEMOCRATIC REPUBLIC OF THE CONGO
CENTRAL AFRICAN REPUBLIC
SOUTH SUDAN
UGANDA
RWANDA
BURUNDI
UNITED REPUBLIC OF TANZANIA
ZAMBIA
ANGOLA
CONGO
Bangui
Kinshasa
Brazzillo
Kampala
Kigali
Bujumbura
Kindu
Kisangani
Lubumbashi
Kolwezi
Mbandaka
Bandundu
Kananga
Lusambo
Kalemie
Goma
Bukavu
Uvira
Kasongo
Kabinda
Mbuji Mayi
Tshikapa
Matadi
Boma
Kikwit
Gemena
Buta
Isiro
Bunia
Bambesa
Bahesamba
Lisala
Basoko
Ubundu
Opala
Lubutu
Punia
Kindu
Kasongo
Kabinda
Kalemie
Pweto
Moba
Kamina
Kaparga
Bukama
Musabira
Dilolo
Mutshatsha
Likasi
Sakania
Ndola
Solwezi
Mavivi
Kivanja
Sake
Himbi
Sange
Watungu & Mubirine
Adaivu & Kavumbu
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Map No. 4412 Rev. 22 UNITED NATIONS
December 2016 (Colour)
Department of Field Support
Geospatial Information Section (formerly Cartographic Section)

S/2016/1130